

RESOLUTION NO. 26 - 2013

A RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA DETERMINING AND APPROVING THE RESOLUTION AND WRITTEN ORDER OF THE VALPARAISO PLAN COMMISSION AS IT PERTAINS TO PLAN COMMISSION RESOLUTION RES13-001 APPROVING RESOLUTION NO. 10-09-2013-01 OF THE VALPARAISO REDEVELOPMENT COMMISSION AS AN AMENDING DECLARATORY RESOLUTION IN ORDER TO EXPAND THE CONSOLIDATED VALPARAISO ECONOMIC DEVELOPMENT AREA, AMEND THE CONSOLIDATED VALPARAISO ECONOMIC DEVELOPMENT PLAN AND TO EXPAND THE EXISTING DESIGNATED CONSOLIDATED VALPARAISO ALLOCATION AREA

WHEREAS, The City of Valparaiso, Indiana (the “City”) Redevelopment Commission (the “Redevelopment Commission”), the governing body of the City’s Department of Redevelopment (the “Department”) within the jurisdiction of the Redevelopment District of the City (the “District”), pursuant to IC 36-7-14 et seq. (the “Act”), at a regularly scheduled meeting held on October 9, 2013 approved and adopted an Resolution No. 10-9-2013-01 (the “Amending Declaratory Resolution”) that further amended prior resolutions that established and designated the Consolidated Valparaiso Economic Development Area (the “Area”), approved the Consolidated Valparaiso Economic Development Plan (the “Plan”) and designated the Consolidated Valparaiso Allocation Area (the “Allocation Area”) in order to expand said Area, to amend said Plan (as titled the Consolidated Valparaiso Area Economic Development Plan: Addendum #6 to the Consolidated Plan referred to herein as “Addendum #6”) and to amend the allocation provisions of the Allocation Area, to be concurrent with the Area as expanded;

WHEREAS, The Amending Declaratory Resolution, together with supporting data were submitted to the Valparaiso Plan Commission (the “Plan Commission”) in a timely manner in order for the Plan Commission to: (i) make a determination whether the Amending Declaratory Resolution and Addendum #6 conform to the plan of development for the City and (2) approve or disapprove the Amending Declaratory Resolution and Addendum #6, all pursuant to Section 16(a) of the Act;

WHEREAS, The Plan Commission, as the duly designated and acting official planning body of the City, at a regular meeting held on November 12, 2013 adopted and approved Resolution No. RES13-001 which constituted its Written Order determining and approving that the Redevelopment Commission’s Declaratory Resolution and the Plan conform to the Official Comprehensive Plan of the City as the plan of development for the City, without Plan

Commission amendments or modifications, all pursuant to Section 16(a) of the Act;

WHEREAS, The Recording Secretary of the Plan Commission as authorized and directed by the Plan Commission and as directed by Resolution No. RES13-001 submitted one (1) original signed Resolution No. RES13-001 and ten (10) copies of the said resolution to the Common Council of the City;

WHEREAS, The Common Council of the City upon receipt of the Plan Commission's Resolution No. RES13-001 and upon review is now desirous to: (i) make a determination on the Plan Commission's Resolution No. RES13-001 and its Written Order; and (ii) approve said resolution and Written Order, pursuant to Section 16(b) of the Act; and

WHEREAS, The determination that a geographic area within the City and the District is an economic development area must be approved by the Common Council of the City pursuant to Section 41(c) of the Act.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Valparaiso, Indiana, pursuant to the Act as follows:

1. The Plan Commission's Resolution No. RES13-001 and its Written Order attached hereto and made a part hereof, as adopted and approved on November 12, 2013 are in all respects approved, ratified and confirmed pursuant to Section 16(b) of the Act.
2. The Redevelopment Commission's determination related to Addendum #6 and its geographical area as an economic development area and as adopted and approved in the Amending Declaratory Resolution is in all respects approved, ratified and confirmed pursuant to Section 41(c) of the Act.
3. The Clerk-Treasurer as the secretary to the Common Council is hereby authorized and directed to:
 - a. Submit one (1) original signed Resolution to the Redevelopment Commission for its permanent record files as it relates to the approval process of the Area, Addendum #6 and the expansion of the Allocation Area;
 - b. Submit one (1) original signed Resolution to the Plan Commission for its project file permanent record files as it relates to the approval process of the Plan Commission's Resolution No. RES13-001 and its Written Order as it relates to the approval process of the Area, Addendum #6 and the expansion of the Allocation Area; and

- c. Retain two (2) original signed Resolutions for the Common Council permanent record and document files.

BE IT FURTHER RESOLVED that this Resolution shall have full force and effect from and after its passage by the Common Council of the City and approval by the Mayor.

SEE SIGNATURE PAGE

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PASSED AND ADOPTED BY THE COMMON COUNCIL OF THE CITY OF VALPARAISO, INDIANA,

by a vote of 6 “Ayes” and 0 “Nays” of those Council members present on this day, **November 25 , 2013.**

**COMMON COUNCIL OF THE
CITY OF VALPARAISO, INDIANA**

/s/ Jon Costas, Presiding Officer

ATTEST:

Common Council of the City of Valparaiso, Indiana

/s/ Sharon Swihart, Clerk-Treasurer

**Presented by me to the Mayor of the City of
Valparaiso, Indiana, this day November 25 , 2013 at
7:40 p.m.**

/s/ Sharon Swihart, Clerk-Treasurer

**This Resolution approved and signed by me this day
November 25 , 2013 at 7:40 p.m.**

/s/ Jon Costas, Mayor